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August 2, 2023

**VIA ECF**

Honorable Orelia E. Merchant  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re: *Myers v. County of Nassau et al*, 22-cv-07023-OEM-LGD**

Dear Judge Merchant:

We write as counsel for the County of Nassau (“County”), the Nassau County Civil Service Commission (“CSC”), and the Nassau County Police Department (“NCPD”) (collectively “Defendants”) in the above matter and respectfully request the Court schedule a pre-motion conference.

**Relevant Background**

On April 15, 2023, Defendants filed a letter request seeking a pre-motion conference (see Docket No. 15) regarding their intended motion to dismiss Plaintiff’s Complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. On July 11, 2023, the above matter was reassigned to Your Honor. At the time of reassignment, no pre-motion conference had been scheduled. On July 12, 2023, Magistrate Judge Dunst scheduled for August 31, 2023, a telephonic initial conference and directed the parties to file a joint Proposed Discovery Plan/Scheduling Order one week prior to the initial conference. Because scheduling in this matter should include a dismissal motion briefing schedule, Defendants respectfully submit this letter seeking that Your Honor schedule a pre-motion conference regarding our motion to dismiss.

Further, while the Defendants are available to attend a pre-motion conference at the Court’s convenience, if the Court prefers not to hold a conference for the sake of judicial economy, Defendants are amenable to the Court issuing a dismissal motion briefing schedule without a conference.

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Thank you for your consideration of this request.

Respectfully submitted,

GREENBERG TRAURIG, LLP

By:

*Mark J. Lesko*

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